

ORIGINAL

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
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SEALED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

No. 3:15-CR-0479-L

v.

FILED UNDER SEAL

PHANUEL MAKONI (1)

PLEA AGREEMENT SUPPLEMENT

Phanuel Makoni, defendant, Jeffrey C. Grass, the defendant's attorney, and the United States of America (the government), agree as follows:

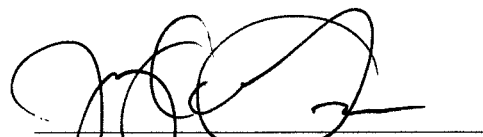
1. The defendant agrees to fully cooperate with the United States, its agencies, and other law enforcement agencies and provide truthful and complete information and/or testimony before any Federal grand jury, the United States District Court, or in any other proceeding, concerning his participation in the offense of conviction and knowledge of criminal activities.
2. If, in the opinion of the government, Makoni fully cooperates, and thereby renders substantial assistance, which may or may not include testifying truthfully as a government witness in any case, the government will file a motion urging sentencing consideration for that assistance and ask the Court to depart downward in the application of the sentencing guidelines. Whether and to what extent to grant the motion is matters solely within the Court's discretion.
3. The government agrees that U.S.S.G. ' 1B1.8 is applicable to the defendant. Any information provided by the defendant, which was previously unknown to the

government, in connection with the defendant=s assistance to the United States, including debriefing and testimony, will not be used to increase the defendant=s Sentencing Guideline level or used against the defendant for further prosecution, if in the opinion of the United States Attorney, defendant has met all of the defendant=s obligations under the Plea Agreement and this Supplement, and provided full, complete, and truthful information and testimony. However, nothing revealed by the defendant during the defendant=s debriefings and testimony would preclude the defendant=s prosecution for any violent crime.

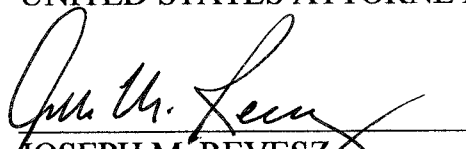
4. To facilitate the defendant=s cooperation, the parties agree that the United States may request a continuance of the sentencing.

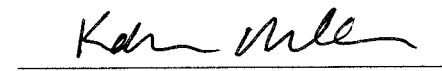
AGREED TO AND SIGNED this 18th day of December, 2015.


PHANUEL MAKONI
Defendant


JEFFREY C. GRASS
Attorney for Defendant
Texas State Bar No. 00787581

JOHN R. PARKER
UNITED STATES ATTORNEY


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KATHERINE MILLER
Deputy Criminal Chief


Texas State Bar No. 00789107

I have read (or had read to me) this Plea Agreement and have carefully reviewed every part of it with my attorney. I fully understand it and voluntarily agree to it.


PHANUEL MAKONI

12-18-2015
Date

I am the defendant's counsel. I have carefully reviewed every part of this Plea Agreement with the defendant. To my knowledge and belief, my client's decision to enter into this Plea Agreement is an informed and voluntary one.


JEFFREY C. GRASS
Attorney for Defendant

12-18-2015
Date